

REMARKS

Claims 1-26 remain pending and at issue in this application, with claims 1, 11, and 20 being independent claims. With this Response, Applicants amend each of independent claims 1, 11, and 20 to address the rejections set forth in the pending Office Action. Each of the amendments finds support in the application as originally filed and, therefore, these amendments add no new matter. In view of the amendments above and the remarks below, Applicants respectfully request reconsideration and favorable action in this case.

35 U.S.C. § 101 Rejections

Each of claims 1-26 stands rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter. With this response, Applicants amend each of independent claims 1, 11, and 20 to recite subject matter clearly patentable under 35 U.S.C. § 101. Each of claims 2-10, 12-19, and 21-26 depends from one of claims 1, 11, and 20, and is therefore also directed to patentable subject matter. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejections.

35 U.S.C. § 102 Rejections

Each of claims 1, 2, and 5 stands rejected under 35 U.S.C. § 102(b) as anticipated by Onarheim et al. (U.S. Patent No. 5,168,441, hereinafter "Onarheim"). Independent claim 1 is generally directed to a user interface method for facilitating configuration of a process plant. Claim 1 generally recites, in part, segmenting a display into at least a first portion and a second portion; displaying in a first portion a workspace to create a simulation algorithm for at least a portion of a process plant, at least a portion of the simulation algorithm being defined by depictions of connections among process objects in the workspace; and displaying in the second portion a library of process objects capable of being added to the workspace, at least one of the process objects in the library having at least one associated graphical representation of a physical entity in the process plant corresponding to the process object. With this Response, Applicants amend claim 1 to specify that ***the process object having the associated graphical representation of the physical entity***

includes simulation functionality that is based on behavior of the physical entity. This amendment finds support throughout the application as originally filed, for example, in pars. [0071]-[0072], [0077], [0082]-[0086], [0113].

Onarheim cannot anticipate independent claim 1 because Onarheim does not disclose each and every element of recited by claim 1 and, in particular, fails to disclose a process object having an associated graphical representation of a physical entity and including simulation functionality that is based on behavior of the physical entity, as claim 1 recites. Onarheim describes a graphical editing system for constructing computer programs in high-level graphical languages. Although the graphical editing system of Onarheim utilizes graphical elements that depict physical entities such as motors and conveyers (see, e.g., Fig. 7), Onarheim does not disclose or suggest that these elements ***simulate the behavior of the corresponding physical entities***. For example, Onarheim does not disclose or suggest that the element 101 simulates the behavior of a conveyer. Rather, it appears that the graphical elements illustrated in Figs. 7-10, are merely for graphically representing physical entities and for making it easier to arrange and group signals sent by the controller to and received by the controller from physical entities. See, e.g., col. 2, lines 3-31; col. 10, lines 34-37; col. 12, lines 18-26; col. 13, lines 21-32; col. 14, lines 22-26. Depicting physical entities, as disclosed in Onarheim, is not the same as including in a graphical representation of a physical entity simulation functionality that is based on behavior of the physical entity. For at least this reason, independent claim 1 is patentable over Onarheim, and Applicants request reconsideration and withdrawal of the rejection.

Each of claims 2 and 5 depends from independent claim 1. As described above, claim 1 is patentable over Onarheim because Onarheim does not disclose or suggest at least one of the elements recited by the claim and, therefore, Onarheim cannot anticipate the claims. Accordingly, Applicants request reconsideration and withdrawal of the rejections of claims 2 and 5.

35 U.S.C. § 103 Rejections

Each of claims 3, 4, and 6-10 depends from independent claim 1 and stands rejected under 35 U.S.C. § 103(a) as unpatentable over Onarheim. As described

above, Onarheim does not disclose or suggest a process object having an associated graphical representation of a physical entity and including simulation functionality that is based on behavior of the physical entity, as recited by claim 1. Applicants therefore submit that, at least for the reasons described above with respect to independent claim 1, each of claims 3, 4, and 6-10 is patentable over Onarheim, and respectfully request reconsideration and withdrawal of the rejections.

Each of claims 11-26 stands rejected under 35 U.S.C. § 103(a) as unpatentable over Blevins (WO95/04314, hereinafter "Blevins"). Independent claim 11 recites, in part, "a supervisor module communicatively coupled to the process graphics editor and the process module editor, the supervisor module to detect a change made to the graphical representation of the physical entities in the process plant using the process graphics editor and to instruct the process module editor to make a corresponding change, if any, to the process module."

Blevins cannot render claim 11 obvious because Blevins does not disclose or suggest each and every one of the elements recited by the claim and, in particular, fails to disclose or suggest **a supervisor module that detects a change made to a graphical representation of a physical entity and instructs a process module editor to make a corresponding change to a process module**. In Blevins, a control template generator 124 includes a control function generator 126 for defining functions of a control template, and a graphics editor 128 for creating multiple views of the control template (e.g., an engineer's view, an operator's view, a lab view, etc.). Blevins does not disclose or suggest that changes made using the graphics editor 128 could somehow affect the functioning of the control template. Rather, the graphics editor 128 is merely for creating graphics that graphically represent the control template. As a result, changes made using the graphics editor 128 would have no effect on the control template functioning defined using the control function generator 126. Moreover, nothing in Blevins suggests that it would be desirable to include a supervisor module that would detect changes made using the graphics editor 128 and to instruct the control function generator 126 to make corresponding changes. For at least this reason, Blevins cannot render claim 11 obvious. Accordingly, Applicants request reconsideration and withdrawal of the rejection.

Independent claim 20 is patentable over Blevins for at least reasons similar to those described with reference to claim 11. In particular, independent claim 20 generally recites detecting, using a supervisor module application, a change to a graphical representation of physical entities in a process plant, and using the supervisor module application to instruct a process module editor communicatively coupled to the supervisor module application to modify a process module according to a determined change to be made to the process module. As described above with reference to claim 11, Blevins does not disclose or suggest a supervisor module application, much less a supervisor module application operable to instruct a process module editor to make changes in a process module. For at least this reason, claim 20 is patentable over Blevins, and Applicants request reconsideration and withdrawal of the rejection.


Claims 12-19 and 21-26, depend from claims 11 and 20, respectively. Accordingly, each is patentable over Blevins for at least the reasons set forth above with regard to independent claims 11 and 20, and Applicants request reconsideration and withdrawal of the rejections.

CONCLUSION

Accordingly, all remaining claims are in condition for allowance for the reasons provided above. Applicant files this response with a petition for a two-month extension of time, and the requisite fee, thereby extending the deadline for response to June 8, 2009. Although Applicants believe that no additional fees or petitions are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 13-2855 of Marshall, Gerstein & Borun, LLP under Order No. 06005/41118. Should the Examiner wish to discuss any of the foregoing comments or any claim amendments deemed needed to result in allowance, Applicants kindly request the Examiner to contact the undersigned by telephone at the number given below.

Respectfully submitted,

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